

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION

SALVATORE JULIANO SOWELL

Plaintiff,

v.

Case No. 2:23-cv-1683  
JUDGE EDMUND A. SARGUS, JR.  
Magistrate Judge Karen L. Litkovitz

UNITED STATES OF AMERICA,

Defendant.

**ORDER**

This matter is before the Court on the November 9, 2023, Order and Report and Recommendation issued by the Magistrate Judge. (ECF No. 25.) The Magistrate Judge conducted an initial screen of Plaintiff's Complaint, as she must under 28 U.S.C. §1915(e)(2), and recommended dismissal of the Complaint for lack of subject matter jurisdiction, or, in the alternative, for failure to state a claim. (*Id.* at PageID # 132.) Plaintiff was advised of his right to object to the Order and Report and Recommendation and of the consequences of failing to do so (*id.* at PageID # 132–33), but did not file a timely objection.

The Court **ADOPTS** and **AFFIRMS** the Order and Report and Recommendation. (ECF No. 25.) Plaintiff's claims are **DISMISSED with prejudice** for failure to state a claim pursuant to § 1915(e)(2)(B). The Clerk is **DIRECTED** to terminate this case and enter judgment.

**IT IS SO ORDERED.**

1/8/2024  
DATE

s/Edmund A. Sargus, Jr.  
EDMUND A. SARGUS, JR.  
UNITED STATES DISTRICT JUDGE